

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GS HOLISTIC, LLC,

Plaintiff,

v.

PUFF+ LLC, et al.,

Defendants.

No. 2:22-cv-02035-DAD-DB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S MOTION FOR DEFAULT
JUDGMENT WITHOUT PREJUDICE

(Doc. Nos. 14, 19)

On November 9, 2022, plaintiff filed this civil action against defendants. (Doc. No. 1.) The Clerk of the Court entered default as to defendants because defendants were served with the summons and complaint and did not file a timely answer, responsive pleading, or otherwise appear in this action. (Doc. No. 7.) On August 23, 2023, plaintiff filed the pending motion for default judgment. (Doc. No. 14.)¹ This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 and Local Rule 302.

On February 16, 2024, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion for default judgment be denied, without prejudice, because the complaint contained only "vague and conclusory allegations insufficient to grant default judgment." (Doc. No. 19 at 5.) The findings and recommendations provided that

¹ Plaintiff had previously filed its motion for default judgment on April 20, 2023 but erroneously noticed it for hearing before the undersigned. (Doc. Nos. 10, 13.)

1 any objections thereto were to be filed within fourteen (14) days. (*Id.* at 3.) To date, no
2 objections have been filed and the time for doing so has now passed.

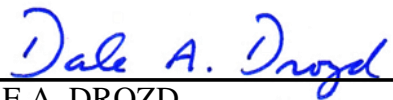
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court conducted a *de*
4 *novo* review of the case. Having carefully reviewed the file, the court concludes that the findings
5 and recommendations are supported by the record and proper analysis.

6 Accordingly:

- 7 1. The findings and recommendations issued on February 16, 2024 (Doc. No. 19) are
8 adopted in full; and
9 2. Plaintiff's motion for default judgment against defendants (Doc. No. 14) is denied,
10 without prejudice.

11 IT IS SO ORDERED.

12 Dated: March 7, 2024

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14 DALE A. DROZD
15 UNITED STATES DISTRICT JUDGE
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